

Annual 47 CFR § 64.2009(e) CPNI Certification

EB Docket 06-36

Annual 64.2009(e) CPNI Certification for 2019 covering the prior calendar year 2018

1. Date filed: 02/27/2019
2. Name of company(s) covered by this certification: ADTRAN, Inc.
3. Form 499 Filer ID: 831962
4. Name of signatory: Chris Wallace
5. Title of signatory: Sales Operations Analyst/CPNI Compliance Officer
6. Certification:

I, Chris Wallace, certify that I am the CPNI compliance officer for ADTRAN, Inc., and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules in 47 CFR § 64.2001 *et seq.*

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements (including those mandating the adoption of CPNI procedures, training, safeguards, recordkeeping, and supervisory review) set forth in section 64.2001 *et seq.* of the Commission's rules.

The company has not taken any actions (i.e., proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission against data brokers) against data brokers in the past year.

The company has not received any customer complaints in the past year concerning the unauthorized release of CPNI.

The company represents and warrants that the above certification is consistent with 47 CFR § 1.17, which requires truthful and accurate statements to the Commission. The company also acknowledges that false statements and misrepresentations to the Commission are punishable under Title 18 of the U.S. Code and may subject it to enforcement action.

Signed _____

Attachment: Accompanying Statement explaining CPNI procedures

Statement in Support of Annual CPNI Certification

ADTRAN, Inc. (the “Company”) has in place the procedures necessary to ensure that the company is in compliance with Federal Communications Commission rules regarding Customer Proprietary Network Information (“CPNI”), codified at 47 C.F.R. §§ 64.2001-2011. These procedures include the following:

Compliance Officer. The Company has appointed a CPNI compliance officer. The compliance officer is responsible for ensuring that the Company is in compliance with all of the CPNI rules. The compliance officer is also the point of contact for anyone (internally or externally) with questions about CPNI.

Training. The Company requires each of its employees, contractors, and agents with access to CPNI to be familiar with applicable Company policies relevant to protecting customer information. The compliance officer arranges annual training for all employees with access to any CPNI. After training, all employees are required to sign a Statement of Acknowledgement confirming that he or she has completed training on CPNI rules, and is required to comply with Company CPNI policies and may be subject to disciplinary action in accordance with the Company’s Code of Conduct in the event of non-compliance. The disciplinary process could include coaching, written reports, or other actions, up to and including termination.

Sales and Marketing Campaigns. The Company requires management approval for all sales and marketing campaigns to ensure that CPNI is not used. The Company does not sell or license CPNI from its product service offerings for third party marketing campaigns. The Company ensures that any agreements entered into with third party service providers that store CPNI include language that acknowledges such CPNI is the Company’s proprietary information and that the service provider may not use such information for solicitation or for any other purpose outside the terms of the agreement.

Authentication. The Company does not and would not disclose any CPNI unless the customer has been appropriately authenticated as follows:

Customer-initiated call – If a customer wants to discuss call detail information, the following guidelines would be followed:

- If the customer can provide all of the call detail information (telephone number called, when it was called, and the amount of the call) necessary to address the customer’s issue, the Company will continue with its routine customer care procedures.
- If the customer cannot provide all of the call detail information to address the customer’s issue, the Company will: (1) call the customer back at the telephone number of record, or (2) send the information to the address of record.

Opt-In. The Company does not market CPNI and does not use or share CPNI with joint venture partners or independent contractors to market to its customers. If the Company elected in the future to market CPNI, it would disclose CPNI to sales agents, affiliates, joint venture partners, independent contractors or any other third parties only after receiving “opt-in” approval from customers.

Opt-Out Mechanism Failure. The Company does not market CPNI. If the Company elected in the future to market CPNI, it would timely provide written notice to the FCC of any instance in which an opt-out mechanism did not work properly to such a degree that customers' inability to opt-out is more than an anomaly.

Customer Notification of Changes. The Company immediately notifies customers whenever a change is made to any of the following:

- Address of record
- Billing contact
- Billing telephone number

The notification to the customer will be made via Company originated email.

Notification of Breach. In the unlikely event of a breach, the compliance officer will contact appropriate law enforcement authorities, including the United States Secret Service (USSS) and the Federal Bureau of Investigation (FBI) as soon as possible, but in no event later than seven (7) business days after determination of the breach. The customers will be notified thereafter in accordance with the CPNI rules. The compliance officer will also maintain a record of the breach, the notifications made to the USSS, FBI, and customers. The compliance officer will also include a summary of any breach in the annual compliance certificate filed with the FCC.

Complaints. Should any unauthorized use of CPNI occur, complaints regarding the unauthorized use of an ADTRAN's customer's CPNI would be timely reported to the CPNI compliance officer.

Recordkeeping. The Company has in place procedures to ensure that all records and other materials required to be maintained under the CPNI rules are maintained for the appropriate periods. ADTRAN, Inc. does not store CPNI records in its internally maintained database. ADTRAN, Inc. requires that any CPNI records maintained by third party service providers are maintained for a minimum of one (1) year.

FCC Compliance Filing. The Company ensures that a responsible officer timely files (1) a compliance certificate stating that the certifying officer has personal knowledge that the Company has established procedures adequate to ensure compliance with the Commission's CPNI rules; and (2) this separate statement explaining how the Company's operating procedures ensure that it is or is not in compliance with the rules, explaining any actions taken against data brokers during the prior calendar year, and summarizing all customer complaints received during the prior calendar year concerning the unauthorized release of CPNI.

Explanation of Actions Against Data Brokers. As noted in the Certification, no actions were taken against data brokers in 2018.

Summary of the Number of Customer Complaints in 2018 Concerning Unauthorized Release of CPNI:

The Company's summary of 2018 CPNI complaints by category appears below. A review of allegations revealed zero (0) complaints by customers involving unauthorized access to the customer's CPNI or unauthorized disclosure of customer's CPNI:

Number of complaints involving improper access by employees: 0

Number of complaints involving improper disclosure to unauthorized individuals: 0

Number of complaints involving improper online access by unauthorized individuals: 0